

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-SEVENTH LEGISLATURE

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SIXTY-FOURTH LEGISLATIVE DAY  
MONDAY, MARCH 15, 2004

Senate Chamber

President Risch called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Cameron, Davis, Noh, Stennett, and Williams, absent and formally excused by the Chair; and Senators Andreason, Bunderson, and Schroeder, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Marette McKnight, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 12, 2004, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SJM 110

#### BY STATE AFFAIRS COMMITTEE A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Fifty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, 39% of the land area in the state of Idaho is national forest administered by the U.S. Forest Service, and an additional 22% of the land area in Idaho is public land administered by the U.S. Bureau of Land Management; and

WHEREAS, in 1996, the Idaho Board of Land Commissioners appointed the Federal Land Task Force to examine alternative methods of federal land management in Idaho. In July of 1998, the task force completed its report entitled "New Approaches for Managing Federally Administered Lands." The report identified problems with management of lands administered by the Forest Service and the Bureau of Land Management in Idaho and recommended the pursuit of pilot projects to test collaborative, cooperative, and/or trust models as alternative approaches for federal land management; and

WHEREAS, in March of 1999, the First Regular Session of the Fifty-fifth Idaho Legislature adopted House Concurrent Resolution No. 8, endorsing the task force report, stating its support for further action by the Idaho Board of Land Commissioners on the proposals contained in the report, and urging the Congress of the United States to pass legislation implementing the recommendations contained in the report; and

WHEREAS, in September of 1999, the Idaho Board of Land Commissioners appointed the Federal Land Task Force Working Group to identify pilot projects to test the three alternative approaches described in the task force report; and

WHEREAS, in December of 2000, after soliciting and reviewing pilot project proposals from around Idaho, the working group completed its report entitled "Breaking the Gridlock: Federal Land Pilot Projects in Idaho." The report confirmed the continuing need to pursue alternative ways to manage federal lands in Idaho, described five such pilot projects proposed for different locations within Idaho, and recommended the projects be considered for implementation; and

WHEREAS, the working group report was circulated for public comment between December of 2000 and February of 2001, and over 80% of the 500 comments received from within and outside Idaho were favorable of the report. In February of 2001, the Idaho Board of Land Commissioners reviewed and approved the report; and

WHEREAS, one of the projects in the report, designed to provide a working test of a more collaborative approach to management of national forest lands in the Clearwater River Basin, was developed into draft legislation known as the Clearwater Basin Project Act; and

WHEREAS, in the first session of the 108<sup>th</sup> Congress of the United States, the Clearwater Basin Project Act was introduced in the United States House of Representatives by Congressman Otter of Idaho, on behalf of himself and Congressman Simpson, as H.R. 835, and in the United States Senate by Senator Craig of Idaho as S. 433; and

WHEREAS, since introduction of the Clearwater Basin Project Act, the federal Healthy Forests Restoration Act of 2003 was enacted, and Congress has expanded stewardship contracting authority for projects on lands administered by the Bureau of Land Management and Forest Service; and

WHEREAS, catastrophic fire, fish and wildlife habitat, forest health, and other environmental and management problems identified in the reports of the task force and working group persist regarding federal lands administered by the Forest Service in the Clearwater Basin, in which the citizens and communities of Idaho have a vital stake; and

WHEREAS, the proposed federal Clearwater Basin Project Act will assist in addressing these problems and providing a useful working test for improved management of national forest lands, fully consistent with continued federal ownership and decision making authority over these lands, inclusive of requirements for public participation and environmental protection; and

WHEREAS, the proposed Clearwater Basin Project Act will act to enhance, and will be fully consistent with, the Healthy Forests Restoration Act, national, state of Idaho, and community catastrophic wildfire risk reduction plans, stewardship contracting authority, and other initiatives addressing federal land management issues; and

WHEREAS, additional useful pilot projects to implement the recommendations in the reports of the Federal Land Task Force and Federal Land Task Force Working Group may be further developed with local interest and support, and require federal legislation to fully implement.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that we endorse the federally proposed Clearwater Basin Project Act, urge the congressional delegation representing the state of Idaho to work toward enactment of the legislation with continued public participation, and urge the Congress of the United States to enact the Clearwater Basin Project Act.

BE IT FURTHER RESOLVED that we endorse continued action by the federal government, as well as the Idaho Board of Land Commissioners, toward additional development and implementation of pilot projects for improved management of federal lands in other areas of Idaho where local support exists, in accordance with the recommendations in the July 1998 report of the Federal Lands Task Force and the December 2000 report of the Federal Lands Task Force Working Group.

BE IT FURTHER RESOLVED that we endorse coordinating Idaho federal land pilot project efforts with implementation by federal agencies of the Healthy Forests Restoration Act, national, state of Idaho, and community catastrophic wildfire risk reduction plans, stewardship contracting authority, and other initiatives to improve federal land management.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**SJM 110** was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

Senator Bunderson was recorded present at this order of business.

March 15, 2004

The JUDICIARY AND RULES Committee reports that **S 1444** and **S 1445** have been correctly printed.

DARRINGTON, Chairman

**S 1444** was referred to the Education Committee.

**S 1445** was referred to the Finance Committee.

March 12, 2004

The JUDICIARY AND RULES Committee reports that **S 1298**, **S 1302**, **S 1345**, **S 1372**, **S 1415**, **S 1423**, **S 1424**, **S 1425**, **S 1426**, **S 1427**, **S 1428**, **SCR 130**, and **SCR 131** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1298**, **S 1302**, **S 1345**, **S 1372**, **S 1415**, **S 1423**, **S 1424**, **S 1425**, **S 1426**, **S 1427**, **S 1428**, **SCR 130**, and **SCR 131** and ordered them transmitted to the House for the signature of the Speaker.

March 12, 2004

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 120** was delivered to the Office of the Secretary of State at 10:58 a.m., March 12, 2004.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 12, 2004

The JUDICIARY AND RULES Committee reports that Enrolled **S 1210**, **S 1221**, **S 1237**, **S 1244**, **S 1245**, **S 1246**, **S 1248**, **S 1249**, **S 1255**, **S 1264**, **S 1266**, **S 1267**, **S 1268**, **S 1295**, and **S 1296** were delivered to the Office of the Governor at 2:30 p.m., March 12, 2004.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 15, 2004

The FINANCE Committee reports out **S 1445** with the recommendation that it do pass.

CAMERON, Chairman

**S 1445** was filed for second reading.

March 12, 2004

The EDUCATION Committee reports out **H 787** and **H 631**, as amended, with the recommendation that they do pass.

SCHROEDER, Chairman

**H 787** and **H 631**, as amended, were filed for second reading.

March 12, 2004

The EDUCATION Committee reports out **S 1354** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SCHROEDER, Chairman

There being no objection, **S 1354** was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2004

The HEALTH AND WELFARE Committee reports out **S 1419** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRANDT, Chairman

There being no objection, **S 1419** was referred to the Fourteenth Order of Business, General Calendar.

March 12, 2004

The HEALTH AND WELFARE Committee reports out **H 646** with the recommendation that it do pass, and with the recommendation that it be placed on the Consent Calendar.

BRANDT, Chairman

**H 646** was filed for second reading.

March 12, 2004

The HEALTH AND WELFARE Committee reports out **H 815** with the recommendation that it do pass.

BRANDT, Chairman

**H 815** was filed for second reading

March 12, 2004

The RESOURCES AND ENVIRONMENT Committee reports out **H 636**, as amended, with the recommendation that it do pass.

NOH, Chairman

**H 636**, as amended, was filed for second reading.

March 12, 2004

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 780** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BUNDERSON, Chairman

There being no objection, **H 780** was referred to the Fourteenth Order of Business, General Calendar.

March 15, 2004

The FINANCE Committee reports out **H 822**, **H 823**, and **H 824** with the recommendation that they do pass.

CAMERON, Chairman

**H 822**, **H 823**, and **H 824** were filed for second reading.

March 12, 2004

The STATE AFFAIRS Committee reports out **H 629** and **H 772** with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

SORENSEN, Chairman

**H 629** and **H 772** were filed for second reading.

March 12, 2004

The STATE AFFAIRS Committee reports out **HJM 20**, **HJM 22**, **HCR 54**, **H 770**, **H 711**, **H 508**, as amended, and **H 802** with the recommendation that they do pass.

SORENSEN, Chairman

**HJM 20**, **HJM 22**, and **HCR 54** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

**H 770**, **H 711**, **H 508**, as amended, and **H 802** were filed for second reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

#### Messages from the House

March 12, 2004

Mr. President:

I transmit herewith **H 828**, **H 830**, **HJM 25**, **H 747**, **H 803**, **H 812**, **HJM 24**, **H 811**, **H 757**, as amended, **H 760**, as amended, **H 761**, as amended, **H 816**, as amended, **HJM 23**, as amended, and **H 809**, as amended, which have passed the House.

JUKER, Chief Clerk

**H 828**, **H 830**, **HJM 25**, **H 747**, **H 803**, **H 812**, **HJM 24**, **H 811**, **H 757**, as amended, **H 760**, as amended, **H 761**, as amended, **H 816**, as amended, **HJM 23**, as amended, and **H 809**, as amended, were filed for first reading.

March 12, 2004

Mr. President:

I return herewith **S 1430** and **S 1431** which have passed the House.

JUKER, Chief Clerk

**S 1430** and **S 1431** were referred to the Judiciary and Rules Committee for enrolling.

March 12, 2004

Mr. President:

I transmit herewith Enrolled **H 542, H 551, H 553, H 561, H 562, H 534, H 546, H 547, H 548, H 533, H 484, H 485, H 483, H 486, H 505, H 506, H 522, H 523, H 607, H 509, H 535, H 536, H 588, H 610, H 554, H 567, H 601, H 605, H 611, H 493, H 489, H 491, H 494, H 497, H 490, H 492, H 496, H 518, H 537, H 538, and H 480** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 542, H 551, H 553, H 561, H 562, H 534, H 546, H 547, H 548, H 533, H 484, H 485, H 483, H 486, H 505, H 506, H 522, H 523, H 607, H 509, H 535, H 536, H 588, H 610, H 554, H 567, H 601, H 605, H 611, H 493, H 489, H 491, H 494, H 497, H 490, H 492, H 496, H 518, H 537, H 538, and H 480** and ordered them returned to the House.

March 12, 2004

Mr. President:

I return herewith Enrolled **S 1234**, as amended, **S 1240, S 1241, S 1242, S 1250, S 1251, S 1263, S 1274, S 1281, S 1291, S 1299, S 1306, S 1318, and S 1320** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1234**, as amended, **S 1240, S 1241, S 1242, S 1250, S 1251, S 1263, S 1274, S 1281, S 1291, S 1299, S 1306, S 1318, and S 1320** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

Senators Andreason and Schroeder were recorded present at this order of business.

The President announced that **HJM 18**, having been held, was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Noble, seconded by Senator Werk, **HJM 18** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that **HCR 55** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bailey, seconded by Senator Kennedy, **HCR 55** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 44** was before the Senate for final consideration.

Moved by President Pro Tempore Geddes, seconded by Senator Burkett, that **HCR 44** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--Keough. Total - 1.

Absent and excused--Cameron, Davis, Noh, Stennett, Williams. Total - 5.

Total - 35.

Whereupon the President declared **HCR 44** adopted, title was approved, and the resolution ordered returned to the House.

The President announced that the House amendments to **S 1279**, as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to **S 1279**, as amended, as amended in the House?"

On request by Senator Brandt, granted by unanimous consent, the Senate concurred in the House amendments to **S 1279**, as amended, as amended in the House.

**S 1279**, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

##### **S 1446**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1302, IDAHO CODE, TO FURTHER DEFINE "MILITARY SERVICE"; AND DECLARING AN EMERGENCY.

**S 1446** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 828**, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 830**, by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

**HJM 25**, by Ways and Means Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

**H 747**, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 803** and **H 812**, by State Affairs Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**HJM 24**, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

**H 811**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 757**, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

**H 760**, as amended, and **H 761**, as amended, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

**H 816**, as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

**HJM 23**, as amended, by Ways and Means Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

**H 809**, as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

**S 1322**, by Education Committee, was read the second time at length and filed for third reading.

**S 1443**, by Finance Committee, was read the second time at length and filed for third reading.

**H 818**, **H 819**, **H 820**, and **H 821**, by Appropriations Committee, were read the second time at length and filed for third reading.

**H 659**, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

**H 694**, by Health and Welfare Committee, was read the second time at length and filed for third reading, Consent Calendar.

**S 1441**, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

**H 773**, by Ways and Means Committee, was read the second time at length and filed for third reading.

**H 808**, by Business Committee, was read the second time at length and filed for third reading.

**H 776**, by Ways and Means Committee, was read the second time at length and filed for third reading.

**H 653**, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

**H 807**, by Ways and Means Committee, was read the second time at length and filed for third reading.

**H 693**, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

**H 635**, as amended in the Senate, by Resources and Conservation Committee, was read the second time at length and filed for third reading.

**H 586**, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

**H 651**, as amended, as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

**S 1351**, as amended, by Education Committee, was read the second time at length and filed for third reading.

**S 1314**, as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

**S 1346**, as amended, by Education Committee, was read the second time at length and filed for third reading.

**S 1393**, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

**S 1422**, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

**S 1290**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **S 1290** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Schroeder, granted by unanimous consent, **S 1392**, having been held, retained its place on the Third Reading Calendar for Thursday, March 18, 2004.

**H 520**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 520**, as amended in the Seante, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 521**, having been held, and **H 488**, having been held, retained their place on the Third Reading Calendar.

**H 495**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 495** passed, title was approved, and the bill ordered returned to the House.

**H 549**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Gannon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 549** passed, title was approved, and the bill ordered returned to the House.

**H 540** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 540** passed, title was approved, and the bill ordered returned to the House.

The President called President Pro Tempore Geddes to the Chair.

**H 569** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noble arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President Pro Tempore declared **H 569** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 619** retained its place on the Third Reading Calendar.

The President Pro Tempore called Senator Compton to the Chair.

**H 622** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noble arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Burtenshaw, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Stegner, Sweet, Werk. Total - 24.

NAYS--Bunderson, Burkett, Calabretta, Kennedy. Total - 4.

Absent and excused--Brandt, Cameron, Davis, Noh, Sorensen, Stennett, Williams. Total - 7.

Total - 35.

Whereupon the Acting President declared **H 622** passed, title was approved, and the bill ordered returned to the House.

**H 618** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the Acting President declared **H 618** passed, title was approved, and the bill ordered returned to the House.

**H 614** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kennedy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the Acting President declared **H 614** passed, title was approved, and the bill ordered returned to the House.

**H 615** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kennedy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the Acting President declared **H 615** passed, title was approved, and the bill ordered returned to the House.

**H 571** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the Acting President declared **H 571** passed, title was approved, and the bill ordered returned to the House.

**H 642** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the Acting President declared **H 642** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 643** retained its place on the Third Reading Calendar

The President returned to the Chair.

**H 644** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 644** passed, title was approved, and the bill ordered returned to the House.

**H 543** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Malepeai arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Burkett, Calabretta, Darrington, Geddes, Ingram, Kennedy, Malepeai, Marley, McKenzie, Noble, Pearce, Richardson, Sweet, Werk. Total - 14.

NAYS--Andreason, Bailey, Bunderson, Burtenshaw, Compton, Gannon, Goedde, Hill, Keough, Little, Lodge, McWilliams, Schroeder, Sorensen, Stegner. Total - 15.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared that **H 543** had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 482**, as amended, retained its place on the Third Reading Calendar for one legislative day.



**H 623** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schroeder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 623** passed, title was approved, and the bill ordered returned to the House.

**H 700** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kennedy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 700** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 670** retained its place on the Third Reading Calendar for one legislative day.

**H 516** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes,

Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 516** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### Reports of Standing Committees

On motion by Senator Stegner, seconded by Senator Burkett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senators Cameron, Davis, Noh, Stennett, and Williams, absent and formally excused by the Chair; and Senators Brandt, Burkett, Noble, Schroeder, Sorensen, and Sweet, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

#### **S 1447** **BY JUDICIARY AND RULES COMMITTEE** **AN ACT**

RELATING TO TAXATION AND TAX REVENUES; AMENDING SECTION 23-1008, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO REVISE THE TAX IMPOSED UPON BEER, TO DEFINE "WHOLESALE SALES PRICE," TO IMPOSE A SURCHARGE, TO PROVIDE FOR CREDITS AND REFUNDS, TO PROVIDE THAT ANY WHOLESALE OR BREWER WHO SELLS TO A RETAILER BEER UPON WHICH TAXES HAVE NOT BEEN PAID SHALL BE GUILTY OF A MISDEMEANOR, TO PROVIDE CORRECT TERMINOLOGY, TO PROVIDE REFERENCES TO SURCHARGES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 23-1319, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO REVISE THE TAX IMPOSED UPON WINE, TO DEFINE "WHOLESALE SALES PRICE," TO IMPOSE A SURCHARGE AND TO MAKE TECHNICAL CORRECTIONS.

**S 1447** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

Senator Sweet was recorded present at this order of business.

**H 649** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Gannon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 26.

NAYS--None.

Absent and excused--Andreason, Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 9.

Total - 35.

Whereupon the President declared **H 649** passed, title was approved, and the bill ordered returned to the House.

**H 663** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Malepeai arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 26.

NAYS--None.

Absent and excused--Andreason, Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 9.

Total - 35.

Whereupon the President declared **H 663** passed, title was approved, and the bill ordered returned to the House.

Senator Andreason was recorded present at this order of business.

**H 511** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 27.

NAYS--None.

Absent and excused--Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 511** passed, title was approved, and the bill ordered returned to the House.

**H 558**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 27.

NAYS--None.

Absent and excused--Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 558**, as amended, passed, title was approved, and the bill ordered returned to the House.

**H 559** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Calabretta arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 27.

NAYS--None.

Absent and excused--Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 559** passed, title was approved, and the bill ordered returned to the House.

On request by President Pro Tempore Geddes, granted by unanimous consent, **H 581** retained its place on the Third Reading Calendar.

**H 563** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Calabretta arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 27.

NAYS--None.

Absent and excused--Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 563** passed, title was approved, and the bill ordered returned to the House.

**H 608** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 27.

NAYS--None.

Absent and excused--Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 608** passed, title was approved, and the bill ordered returned to the House.

**H 474** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 27.

NAYS--None.

Absent and excused--Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 474** passed, title was approved, and the bill ordered returned to the House.

**H 475** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bailey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 27.

NAYS--None.

Absent and excused--Brandt, Burkett, Cameron, Davis, Noble, Noh, Stennett, Williams. Total - 8.

Total - 35.

Whereupon the President declared **H 475** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Little, granted by unanimous consent, **H 585** retained its place on the Third Reading Calendar for one legislative day.

Senators Burkett and Noble were recorded present at this order of business.

**H 568** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Compton, Darrington, Geddes, Goedde, Hill, Ingram, Keough, Little, Lodge, Malepeai, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 25.

NAYS--Burkett, Gannon, Kennedy, Marley. Total - 4.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 568** passed, title was approved, and the bill ordered returned to the House.

**H 762** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 762** passed, title was approved, and the bill ordered returned to the House.

**H 763** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 763** passed, title was approved, and the bill ordered returned to the House.

**H 764** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge,

Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 764** passed, title was approved, and the bill ordered returned to the House.

**H 766** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 766** passed, title was approved, and the bill ordered returned to the House.

**H 767** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 29.

NAYS--None.

Absent and excused--Brandt, Cameron, Davis, Noh, Stennett, Williams. Total - 6.

Total - 35.

Whereupon the President declared **H 767** passed, title was approved, and the bill ordered returned to the House.

Senator Davis was recorded present at this order of business.

**H 668** was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Burkett and Lodge arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 28.

NAYS--Bailey, McWilliams. Total - 2.

Absent and excused--Brandt, Cameron, Noh, Stennett, Williams. Total - 5.

Total - 35.

Whereupon the President declared **H 668** passed, title was approved, and the bill ordered returned to the House.

**H 519** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 30.

NAYS--None.

Absent and excused--Brandt, Cameron, Noh, Stennett, Williams. Total - 5.

Total - 35.

Whereupon the President declared **H 519** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Little, granted by unanimous consent, **H 669** retained its place on the Third Reading Calendar.

**H 593** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 30.

NAYS--None.

Absent and excused--Brandt, Cameron, Noh, Stennett, Williams. Total - 5.

Total - 35.

Whereupon the President declared **H 593** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 633** and **H 502** retained their place on the Third Reading Calendar.

**H 661** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 30.

NAYS--None.

Absent and excused--Brandt, Cameron, Noh, Stennett, Williams. Total - 5.

Total - 35.

Whereupon the President declared **H 661** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 643**, having been held, was placed before the Senate for consideration at this time.

**H 643**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 30.

NAYS--None.

Absent and excused--Brandt, Cameron, Noh, Stennett, Williams. Total - 5.

Total - 35.

Whereupon the President declared **H 643** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 581**, having been held, was placed before the Senate for consideration at this time.

**H 581**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk. Total - 30.

NAYS--None.

Absent and excused--Brandt, Cameron, Noh, Stennett, Williams. Total - 5.

Total - 35.

Whereupon the President declared **H 581** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Stegner, seconded by Senator Burkett, by voice vote the Senate adjourned at 6:15 p.m. until the hour of 9:30 a.m., Tuesday, March 16, 2004.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary